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13          *Attorneys for USACM Liquidating Trust*

Electronically Filed October 31, 2007

8           **UNITED STATES BANKRUPTCY COURT**

9           **DISTRICT OF NEVADA**

10         In re:  
11         USA COMMERCIAL MORTGAGE COMPANY,  
12         USA CAPITAL REALTY ADVISORS, LLC,  
13         USA CAPITAL DIVERSIFIED TRUST DEED  
14         FUND, LLC,  
15         USA CAPITAL FIRST TRUST DEED FUND, LLC,  
16         USA SECURITIES, LLC,

Debtors.

17         **Affects:**

- All Debtors
- USA Commercial Mortgage Company
- USA Capital Realty Advisors, LLC
- USA Capital Diversified Trust Deed Fund, LLC
- USA Capital First Trust Deed Fund, LLC
- USA Securities, LLC

Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR  
Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under  
Case No. BK-S-06-10725 LBR

**NOTICE OF ENTRY OF ORDER  
SUSTAINING OBJECTION OF USACM  
TRUST TO OLYMPIA CAPITAL  
MANAGEMENT'S CLAIM FILED IN  
WRONG DEBTOR'S CASE; AND  
SUSTAINING OBJECTION OF DTDF TO  
PROPOSED ALLOWANCE OF CLAIM;  
AND CERTIFICATE OF SERVICE**

Hearing Date: October 15, 2007  
Hearing Time: 9:30 a.m.

22         **PLEASE TAKE NOTICE** that on the 29th day of October 2007, the Court in the  
23         above-captioned case entered its Order Sustaining Objection of USACM Trust to Olympia  
24         Capital Management's claim Filed in Wrong Debtor's Case; and Sustaining Objection of  
25         DTDF to Proposed Allowance of Claim, a copy of which is attached hereto.  
26         ///



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2 DATED this 30th day of October 2007.

3 **LEWIS AND ROCA LLP**

4 By /s/ Anne M. Loraditch (008164)

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9 *Attorneys for USACM Liquidating Trust*

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**CERTIFICATE OF SERVICE**

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I certify that a copy of the foregoing was served via first class mail, postage  
13 prepaid, addressed as set forth below, on this 31st day of October, 2007 to:

14

Olympia Capital Management  
c/o Geraldine Houghton  
15 2871 Pinta  
Perris, CA 92571

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By /s/ Tamika Shauntee  
17 Tamika Shauntee, Lewis and Roca LLP

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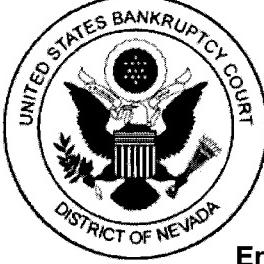
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Case: 06-10725-lbr

Doc #: 5103 Filed: 10/29/2007

Page: 1 of 3



Entered on Docket  
October 29, 2007

A handwritten signature in black ink, appearing to read "R. Biegel".

Hon. Linda B. Riegle  
United States Bankruptcy Judge

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In re:

USA COMMERCIAL MORTGAGE COMPANY,

USA CAPITAL REALTY ADVISORS, LLC,

USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,

USA CAPITAL FIRST TRUST DEED FUND, LLC,

USA SECURITIES, LLC,

Debtors.

**Affects:**

- All Debtors
- USA Commercial Mortgage Company
- USA Capital Realty Advisors, LLC
- USA Capital Diversified Trust Deed Fund, LLC
- USA Capital First Trust Deed Fund, LLC
- USA Securities, LLC

Case No. BK-S-06-10725-LBR

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Case No. BK-S-06-10727-LBR

Case No. BK-S-06-10728-LBR

Case No. BK-S-06-10729-LBR

**CHAPTER 11**

Jointly Administered Under

Case No. BK-S-06-10725 LBR

**ORDER SUSTAINING OBJECTION OF USACM TRUST TO OLYMPIA CAPITAL MANAGEMENT'S CLAIM FILED IN WRONG DEBTOR'S CASE; AND SUSTAINING OBJECTION OF DTDF TO PROPOSED ALLOWANCE OF CLAIM**

Hearing Date: October 15, 2007

Hearing Time: 9:30 a.m.



1           The Court having considered the "Objection of USACM Trust to Olympia Capital  
 2 Management's Claim Filed in Wrong Debtor's Case; Objection of DTDF to Proposed  
 3 Allowance of Claim" [Docket No. 4787] (the "Objection"); with appearances as set forth  
 4 in the record at the hearing noted above; appropriate notice of the Objection having been  
 5 given; no response to the Objection having been filed; and good cause appearing:

6           **IT IS HEREBY ORDERED** that:

- 7           1.       The Objection is sustained;  
 8           2.       Proof of Claim No. 10725-01254 is disallowed in its entirety as against USA  
 9 Commercial Mortgage and USA Capital Diversified Trust Deed Fund, LLC ("DTDF");  
 10 and  
 11           3.       Olympia Capital Management's equity interest in DTDF is allowed in the  
 12 amount of \$96,094.65, as reflected in DTDF's books and records as of April 13, 2006.

13 PREPARED AND RESPECTFULLY SUBMITTED BY:

14 LEWIS AND ROCA LLP

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*Attorneys for USA Capital Diversified  
Trust Deed Fund, LLC*



1                   **RULE 9021 DECLARATION**

2       In accordance with Local Rule 9021, the undersigned certifies:

- 3                    The Court waived the requirements of LR 9021.
- 4                    I have delivered a copy of the proposed order to the Office of the United States  
5                   Trustee and the parties who filed papers in response to the Objection or appeared at  
6                   the hearing noted above, and each has:  
7                    approved the form of this order; and/or  
8                    waived the right to review the order; and/or  
9                    failed to file and serve papers in accordance with LR 9021(c); and  
n/a  
10                  the following have disapproved the form of the order:  
11                   No opposition was filed to the objection and no other party or counsel appeared at  
12                  the hearing.

13                  **LEWIS AND ROCA, LLP**

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